

**VILLAGE OF TUXEDO PARK
PLANNING BOARD
January 22, 2025
7:30 P.M.**

Officials Present: Chairman Jay Reichgott
Member Richard Witte
Member Matthew Tinari
Member Jeremy Kidde
Kelly M. Naughton, Attorney for the Board, Naughton & Torre, LLP
John C. Ledwith IV, Building Inspector
Desiree Hickey, Recording Secretary

Chairman Reichgott opened the meeting at 7:30 p.m.

Absent: Member Stephanie Staal

Attendees: Jeffery Small, Kaiyu Ma Lin, David Lin, Ted Theissen,
Marie- Claude Wren- Myers, Courtney Garcia, Scott Mullins, TPFYI

Application:

Overton - Camp Comfort Road – Parcel 101-1–27 (Formerly Subdivision Lot No. 7) – New house construction:

In attendance:

- Jeffery Small – Architect

The applicant applied for construction of a new single-family residence Lot No.7. Architect Jeffery Small presented the preliminary plans. The list of drawings includes T-1.1, C-1.1, A-1.1, A-1.2, A-1.3, A-1.4, A-2.1, A-2.2, A-2.3, A-2.4, A-3.1, A-3.2, and A-3.3. In addition, the applicant provided an overall site plan along with Lot 7 site plan improvements and a utility improvement profile. In accordance with the sub-division approvals, the Building Inspector noted the construction sequence starts with Lot 1 and Lot 2. The applicant in conjunction with the Planning Board, must agree with the construction sequence.

Although Lot 7 is part of a pre-approved sub-division, each building lot must go through a process. The application requires utility approval and address any land issues. The preliminary plans meet all set back and bulk criteria. The wrap around porch exceeds the 25% allotment and requires a variance. The applicant is required to submit an area of

disturbance for construction in the plans. Each home built within the sub-division is required to install a storage water tank and a standard booster pump to reduce impact for neighbors. If the construction plan requires moving the garage the property has enough driveway room to maintain the 10% slope. Chair Reichgott requested an actual study of the proposed driveway with an engineer report for access ramp into basement for drainage to avoid internal flooding.

Attorney Naughton recommended the applicant submit a narrative to address each issue as a check list. She suggested a Rattlesnake monitor as part of the construction management plan.

Chair Reichgott clarified that additional submittals are needed as follows:

1. A clearing and grading plan.
2. Tree survey.
3. Updated utility, drainage, and storm water plans
4. Timeline expectation for noise and disturbance
5. Submittal of a time line for construction on Lot 7 to be approved at a Planning Board meeting
6. Square footage of the intended patio.
7. Fulfilment of all items required by the subdivision plan.

Screening from the Tuxedo Park School and landscaping plan require Board of Architectural Review approvals.

Further review of this application may require the need for a public hearing.

The applicant will appear before the BAR for further preliminary reviews of Lot 7.

Application:

Lin – Lorillard Road – Parcel 104-1-41 – Storm water drainage without a permit:

In attendance:

- Mr. and Mrs. David Lin – Homeowner
- Scott Mullins – Neighbor

The applicant created unapproved modifications to a path originally approved by the BAR without notifying the Board for additional approvals. Weather conditions in the fall of 2023 caused water to flow onto the property. In addition to modifying the path, trees were removed and drainage was added altering the natural flow of water.

The property is considered vacant land and terrain alteration has occurred. The alteration is considered far beyond the scope of the original approval granted by the BAR. Based on the current circumstances, approval by the BAR is required. This includes adding piping for drainage and a site plan review to be approved by the Village of Tuxedo Park Planning Board.

Mr. Lin provided a detailed timeline with photographs, Building Permit Application, and site plan. The time span depicting the damage caused by the drainage issue was between 7/25/23 and 01/2025.

The significant flooding became an immediate problem for Mr. Lin. The drainage issues were reported to the Village. Mr. Lin's temporary solution was to spread small stones beyond their original placement of the path. Mr. Lin and neighbor Mr. Mullins worked together to temporarily preserve the path. No live trees were cut down. Only dead trees were moved to clear the path.

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A motion was made by Chair Reichgott and seconded by Richard Witte to revisit maintaining what is already there on the path. No change to the drainage will take place until spring with a neat up stone path.

The vote of the Board is 4 – 0 in favor of the motion.

Application:

Tuxedo Club – 271 Tuxedo Road – Parcel No. 107-1-3.2 – Building seawall and columns adjacent to Tuxedo Reservoir:

In attendance:

- Ted Theissen – Boat Master

The applicant appeared before the Planning Board to review details for the proposed construction of a seawall and columns adjacent to the Tuxedo Reservoir at the Tuxedo Club boathouse. The needed repair is located within 100 feet of the reservoir. The wall is breaking apart in several locations and the dock headers are unstable.

Wall details were provided by Paul Gdanski, P.E., PLLC and a description for the complete scope of the project was provided for review. The portions of the wall that cannot be repaired will be dismantled and the stones will be saved for the new construction in conjunction with new natural stone. The seawall and pillar will match existing walls. Sandbags are proposed where there is disturbed space to protect the reservoir.

The Planning Board has advised Mr. Theissen that the sandbags are not enough protection for the reservoir and official documentation is needed from the applicant's engineer. In addition, a letter of no objection is required. EAF forms need to be submitted to make a SEQR Determination to provide potential environmental impacts and obtain an Army Corps of Engineers waterfront permit. For DEC purposes, the application should be labeled as repair of wall and relocation of the dock and must be fully documented. The applicant was advised to consult with an environmental consultant in preparing the proper steps to complete the project.

Chair Reichgott expressed his concern that there may be a constructability issue with the wall design as presented because of the depth of the footing below the lake water level. He suggested that this be reviewed by the applicant's engineer, and noted that the Village Code requires that, in addition to the Planning Board, Board of Architectural Review, Board of Zoning Appeals, the Board of Trustees approve any dock configuration and/or bulkhead installation.

A final review process of the site plan will take place before the Planning Board will grant final approval.

Review of Minutes:

September 25, 2024

A motion was made by Chairman Reichgott and seconded by Member Witte to approve the minutes as read.

The vote of the Board was 3 – 0 in favor of the motion.

As a new member of the Planning Board, Member Kidde abstained.

Adjournment:

At 8:50 p.m., a motion was made by Chairman Reichgott to end the meeting. Member Witte seconded the motion.

The vote was 4 - 0 in favor of the motion.

Respectfully submitted,

Desiree Hickey

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Recording Secretary